

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Michael Niermeier,)	
)	
Plaintiff,)	Civil Action No. <u>3:22-cv-03378-MGL-SVH</u>
)	
v.)	(Civil Action No. 2022-CP-40-4424)
)	(Court of Common Pleas)
)	
Richland County Government,)	NOTICE OF REMOVAL
)	
Defendant.)	
_____)	

Pursuant to 28 U.S.C. § 1446, the Defendant Richland County Government hereby invokes the jurisdiction of the United States District Court for the District of South Carolina and states the following grounds for removal:

1. The Plaintiff brought this action in part pursuant Title VII of the Civil Rights Act of 1964, as amended. The Plaintiff has also alleged state law claims for defamation and negligent supervision. This Court, therefore, has original jurisdiction of the above-captioned action pursuant to 28 U.S.C. §§ 1331 and 1343, and removal of the action to this Court is proper pursuant to 28 U.S.C. §§ 1441 and 1367.

2. The Defendant was served with the Summons and Complaint on August 31, 2022.

3. This Notice is filed within thirty days of receipt of the Summons and Complaint by the Defendant. Therefore, the filing of this Notice of Removal is timely.

4. This Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1331. As discussed above, the Plaintiff's Complaint alleges claims of violations of federal statutory law. Consequently, this action may be removed pursuant to 28 U.S.C. § 1441.

5. The Defendant submits this Notice of Removal without waiving any defenses to the claims asserted by the Plaintiff, including jurisdictional and service defenses, and without conceding that the Plaintiff has pled claims upon which relief can be granted.

6. The undersigned attorney of record signs this Notice of Removal pursuant to Rule 11, FRCP.

WHEREFORE, the Defendant prays that this Court accept this Notice of Removal which is being filed and that this Court take jurisdiction of the above-captioned action and all further proceedings in said action in the Court of Common Pleas for Richland County, State of South Carolina, bearing Civil Action Number 2022-CP-40-4424, be stayed.

LINDEMANN & DAVIS, P.A.

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September 30, 2022